

## **EXHIBIT I**

**DECLARATION OF ANN M. O'LEARY IN SUPPORT OF DEFENDANTS'  
OPPOSITION TO MOTION FOR PRELIMINARY INJUNCTION**

[www.sfgate.com](http://www.sfgate.com)[Return to regular view](#)

## Tab for mayor's landslide: \$5 million

ERIN MCCORMICK AND SCOTT WINOKUR

OF THE EXAMINER STAFF

Dec. 16, 1999

©2000 San Francisco Examiner

URL: <http://www.sfgate.com/cgi-bin/article.cgi?file=/examiner/archive/1999/12/16/NEWS5268.dtl>

### All-time spending record includes \$2.4 million in soft money



Mayor Willie Brown's landslide victory in Tuesday's mayoral election wasn't cheap.

In fact, he's a \$5 million mayor.

With an unprecedented \$2.4 million in independent spending by business, labor and Democratic groups on top of more than \$3.1 million directly donated to his campaign, Brown surpassed all previous election spending records.

In the six-week runoff race alone, Brown and his supporters shelled out \$100 for every \$14 spent by opponent Tom Ammiano.

"In a close race, that kind of funding differential can have an enormous impact," said Rich DeLeon, chair of the political science department at San Francisco State. Considering Brown's huge margin of victory, "it was probably overkill," he added.

The most dramatic - and, to some, the most troubling - spending trend of this election was the flood of soft money from independent groups.

By spending their money directly on such campaign mainstays as ads, mailers and phone banks, instead of donating to the candidates, these groups were able to skirt The City's tight campaign contribution limits and spend unlimited amounts promoting candidates - primarily Brown.

Independent supporters spent only \$18,000 to promote Ammiano, outside of his regular campaign fund, estimated at \$300,000. But Brown benefited from about \$1.9 million in independent expenditures, according to city records.

For instance, business groups, which feared Ammiano's liberal stands on taxes and development, ran their own campaign for Brown, raising and spending \$815,000 on TV ads and mailers.

Mark Mosher, of the downtown business group Committee on Jobs and an organizer of the spending drive, said he felt the money was good for the election process.

"I am exceptionally proud of the fact that the net effect of our effort was to boost voter turnout in every single minority community we worked in," he said.

The unparalleled influx of such money into the mayor's race raised cries of concern from campaign reformers, who predict the trend would soon be reflected in elections all over the nation.

"San Francisco is facing nothing short of a crisis in campaign finance reform . . ." concluded a report issued this week by the Cali

fornia Public Interest Research Group, responding to the new surge in soft money spending. "For grass-roots candidates who are trying to communicate directly with voters, this onslaught of money is virtually impossible to fight."

In the 1970s and again in 1995, San Francisco voters passed laws limiting the single contributions a candidate can accept to no more than \$500 for a general election and \$250 for a runoff.

But a recent federal court ruling allows independent groups, such as city labor unions, Democratic clubs or political action committees formed by businesses, to collect and spend as much as they want to support their candidate.

In the runoff, such independent groups spent money faster than the candidates.

Although not all the expenditures have been reported, the nearly \$2 million in soft money spent by independent groups supporting Brown in the runoff is likely to vastly exceed the amount of Brown's official campaign spending.

"It's part of a national trend," said Bruce Cain, a UC-Berkeley political scientist, who said he expects to see independent expenditures virtually taking over some local and national campaigns. "Four or five years ago, it wasn't as important. But now people are learning to play the independent expenditure game."

CalPIRG, the public interest group, said: "San Francisco's . . . election has set several records and precedents that will have ramifications around the country. Already, political consultants are greedily eyeing the tactics used in this race and developing plans to replicate the effort statewide and perhaps nationally."

In the week before the election, there was a flurry of big-money given and spent to support Brown:

SKS Investments, a developer of live-work studios in The City, gave \$90,000 to a new high-technology committee, campaigning for Brown. The group, The .Com Good Government Committee, also received \$5,000 from Robert J. McCarthy Inc., lobbyist for Shorenstein Co., and \$10,000 from CGI, a Canadian-based technology company. The committee reported spending \$93,000 on mailers for Brown.

The San Francisco Police Officers Association, which has benefited from many pay raises under

Brown, gave \$20,000 in last-minute assistance to independent expenditure committees supporting Brown. Half of the money went to the Alice B. Toklas Lesbian and Gay Democratic Club committee and half to the Republican Party.

The California Realtors PAC gave \$30,000 to a newly formed committee, the Willie Brown Leadership PAC, a week before the election. The PAC has done mailings supporting Brown.

The American Insurance Association gave \$5,000 to the Republican Party in support of Brown. The party also received a \$45,000 transfer from the business group San Franciscans for Sensible Government. The party has not filed any reports on how the money was spent.

State Assembly Speaker Antonio Villaraigosa gave \$17,000 from a fund created to elect Democrats to the Assembly in 1998 to a group called the Voter Mobilization Project. The voter project has not filed any reports on what it did with the money.

Norcal Waste Systems, which holds a contract to collect garbage in San Francisco, kicked in \$5,000 for the Toklas committee's drive to re-elect Brown.

Two committees supporting Ammiano also reported receiving last-minute contributions. San Francisco Environmental Organizations Supporting Tom Ammiano reported receiving \$3,400 from the League of Conservation Voters. The Committee on Integrity collected \$9,000 in late contributions, \$2,000 of which came as a loan from former Department of Parking and Traffic Commissioner Sharon Bretz, who organized the committee. Bretz was fired from the commission by Brown.

#### State employees worked

The extra money from these groups and others allowed Brown supporters to blanket neighborhoods with volunteer drives and get-out-the-vote efforts.

The State Democratic Central Committee reported spending more than \$50,000 to bring as many as 150 campaign workers - many of whom were state employees taking a day off - from Sacramento to knock on doors for the runoff.

The party offered legislative staffers up to four free nights at the San Francisco Hilton if they agreed to spend their days walking precincts for Brown. So far, the party has reported nearly \$30,000 in hotel bills.

Expenditures by the San Franciscans for Sensible Government committee helped Brown in The City's Chinese American community.

Of the committee's total \$815,000 spent, \$128,000 went to targeting Chinese American voters, according to Tom Hsieh Jr. of the committee.

Mosher, head of the campaign spending committee, said the \$128,000 paid for 30,000 phone calls to prospective Chinese American voters and five pieces of direct mail to members of that community.

An additional \$30,000 went to a similar effort targeting African American voters in the Bayview District, Mosher said.